

EXHIBIT M

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May 23, 2008

Via Email (servicepencom@khhte.com)

Rebecca Beynon
KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, PLLC
Sumner Square
1615 M Street, NW, Suite 400
Washington, DC 20036

Re: *Penn Engineering & Manufacturing Corp. v. Peninsula Components, Inc.*
Case No. C07 04231 CRB

Dear Rebecca:

As I mentioned yesterday on the telephone, it is necessary that the current litigation schedule be altered. Both parties have always contemplated that a meaningful mediation should take place before incurring the major costs of the litigation. To that end, it was agreed that there would be just one preliminary round of discovery before mediation. At your suggestion, the mediation was scheduled to occur in mid-April of this year.

As you know, we have obtained availability dates through the end of August from Judge Infante. None of them have been workable for you. No mediation will be possible until September 2008, five months later than contemplated by the original schedule.

If the mediation results in a settlement, neither side needs to incur other costs. The present schedule sets many deadlines that trigger effort on the part of both parties. Many of the upcoming dates relate to claim construction:

May 25, 2008	Parties to Exchange Preliminary Claim Constructions and Extrinsic Evidence
July 7, 2008	Parties to file Joint Claim Construction and Prehearing Statement (Including Points of Novelty)
August 6, 2008	Parties Complete Claim Construction Discovery

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September 22, 2008	Opening Claim Construction Briefs Filed
October 1, 2008	Responsive Claim Construction Briefs Filed
October 8, 2008	Replies in Support of Claim Construction Brief Filed
Week of October 20, 2008 (if appropriate)	Claim Construction Prehearing Conference
Week of October 27, 2008	Claim Construction Hearing

As it stands, it will not be possible to complete any discovery on claims construction. In fact, fact discovery is set to close November 28, 2008. It is impossible to complete discovery within the current timeframe.

So that each party can complete the first round of discovery and prepare for mediation without unnecessary distractions or running out of time to litigate, if that is required, Pencom proposes that we stipulate to a tolling of all of the currently scheduled dates for four months. That is, move each of the currently scheduled and pending deadlines out four months. Any other solution will place undue pressure on the litigation process and will not allow necessary time for discovery to be completed.

Since the Preliminary Claim Construction date is almost upon us, please let us know your response to the above proposal as quickly as you can.

Very truly yours,

BENJAMIN, WEILL & MAZER,
A Professional Corporation

By: 

ANDREW J. WEILL

CC: Pencom Service List (servicepencom@khhte.com)